

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

-v.-

JOSEPH F. SKOWRON III,  
a/k/a "Chip Skowron,"

Defendant.

- - - - - X

CONSENT ORDER OF FORFEITURE

11 Cr. 699 (DLC)  
USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11-21-11

WHEREAS, on or about August 15, 2011, JOSEPH F. SKOWRON III, a/k/a "Chip Skowron" (the "Defendant") was charged in a one-count Information, 11 Cr. 699 (DLC) (the "Information"), with conspiring to commit securities fraud and obstructing justice, in violation of Title 18, United States Code, Section 371;

WHEREAS, the Information included a forfeiture allegation seeking, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to a sum of money in United States currency which was derived from proceeds traceable to the commission of the offense alleged in the Information;

WHEREAS, on or about August 15, 2011, the Defendant pled guilty to the Information pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation and agreed to forfeit to the United States, pursuant

to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, a sum of money equal to \$5,000,000 in United States currency;

WHEREAS, the Defendant consents to entry of a money judgment in the amount of \$5,000,000 in United States currency;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorneys Pablo Quiñones, Reed M. Brodsky, and David B. Massey, of counsel, and the Defendant, and his counsel, James J. Benjamin Jr., Esq. that:

1. As a result of the offense charged in the Information, to which the Defendant pled guilty, a money judgment in the amount of \$5,000,000 in United States currency (the "Money Judgment") shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture shall be final as to the Defendant upon entry of this Order, and shall be made part of the sentence of the Defendant, JOSEPH F. SKOWRON III, a/k/a "Chip Skowron," and shall be included in the judgment of conviction therewith.

3. Upon execution of this Consent Order of Forfeiture and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service (or its designee) shall be

authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

5. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.


7. The Clerk of the Court shall forward three certified copies of this Consent Order of Forfeiture to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

8. The signature pages of this Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA  
United States Attorney for the  
Southern District of New York

By: \_\_\_\_\_

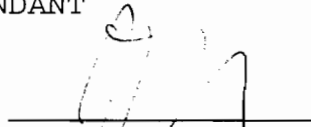
  
Pablo Quiñones  
Reed M. Brodsky  
David B. Massey  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
Tel: (212) 637-2200

11/14/11

DATE

JOSEPH F. SKOWRON III  
DEFENDANT

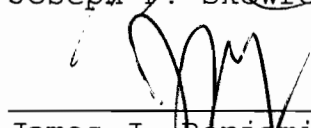
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Joseph F. Skowron III

11/18/11

DATE

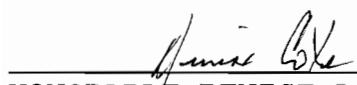
By: \_\_\_\_\_

  
James J. Benjamin Jr., Esq.  
Attorney for Defendant  
Akin Gump Strauss Hauer & Feld LLP  
One Bryant Park  
New York, New York 10036-6745  
(212) 872-8091

11/18/11

DATE

SO ORDERED:

  
HONORABLE DENISE L. COTE  
UNITED STATES DISTRICT JUDGE

November 18, 2011

DATE